

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SUITS- L.A. TGP-Nandyal Unit-Kurnool District-Vempeta village-Pamulapadu Mandal-L.A.O.P.No. 184/90 and 585/88-Full decretal amount deposited-E.Ps filed by the claimants in E.P.Nos.148/09 in O.P.No. 184/90 & 149/09 in O.P.No.585/88 for payment of differential decretal amount-E.Ps disposed-Decretal charges sanctioned-Orders-Issued

IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 460

Dated: 15.7.2010

Read the following:

1. G.O.Rt.No. 939, I & CAD Department, Dated: 19.12.2005
2. From the Special Chief Secretary to Government & CCLA, A.P. Hyderabad Lr.No. SRP4/229/2010, Dated: 2.4.2010.
1. From the Special Collector, Srisailam Project, Kurnool Lr.No. A2/210/2005, Dated: 23.2.2010 & 20.5.2010

O R D E R:

In the G.O. 1st read above, the Government have sanctioned an amount of Rs. 10,02,680/- (Rupees Ten Lakhs Two thousand Six hundred eighty only) towards balance decretal charges to be deposited in the Lower Court to the credit of O.P.Nos. 184/90 and 585/1988 pertaining to Vempenta Village, Pamulapadu Mandal in Kurnool District for excavation of Link Canal under T.G.P.

2. The Special Chief Secretary to Government & CCLA, A.P. Hyderabad and Special Collector, Kurnool in the references 2nd and 3rd read above have submitted final decretal charges proposals in O.P. No. 184/90 & 585/88 for an amount of Rs. 5,57,331/- (Rupees Five Lakhs Fifty seven thousands Three hundred thirty one only) for an extent of 2.69 acres in Survey No. 632/A2A acquired through Award No. 15/87, dt: 1.08.1987 and an extent of Ac.1.00 in Sy.No. 638/A1 acquired through Award No. 19/85, dated: 20.5.1985 for excavation of link channel to Velugodu Balancing Reservoir in the village limits of Vempenta Village, Pamulapadu Mandal, Kurnool District. Aggrieved with the market value awarded by the Land Acquisition Officer, the awardee filed a Petition U/s.18 (2) of L.A.Act for Re-determination of Market Value. The petition was referred to the Senior Judge, Atmakur and it was assigned as OP No. 184/90 & 585/88. The Lower Court has fixed the crop value @ Rs. 52,500/- for two years. The then Special Deputy Collector has filed the appeals in the Hon'ble High Court against the enhancement made by the Lower Court. The Hon'ble High Court has issued judgment, dated: 6.03.2003 fixing the crop compensation @ Rs.1,05,000/- for four years in cross objections in A.S.No. 203/97 and 96/93.

3. The Special Deputy Collector has also reported that the then LAO has filed SLP in Supreme Court against the orders of High Court. But, the Supreme Court has dismissed the SLPs in CCNo. 2151-2152/04, dated: 15.03.2004.

4. Government, after careful examination of the matter, hereby accord sanction for an amount of Rs. 5,57,331/- (Rupees Five Lakhs Fifty Seven thousand Three hundred thirty one only) towards final decretal charges to be deposited in Lower Court in O.P. No. 184/90 & 585/88 in A.S.No. 203/97 and 96/93 pertaining to the lands acquired in Sy.No.632/A2A& 638/A1 for excavation of Link channel to Velugodu Balancing Reservoir in the Village limits of Vempenta Village, Pamulapadu Mandal, Kurnool, subject to verification whether the

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reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, Hyderabad, immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the Special Collector, SSP, Kurnool should verify the calculations made by the LAO, once again thoroughly with reference to the decree and instructions issued by the Government/CCLA, Hyderabad on the subject from time to time, before depositing the amount in the Lower Court.

5. The Special Collector, SSP, Kurnool is directed to follow the directions issued by the Hon'ble High Court on 30.4.2007 in W.P. No. 2181/2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No. 184/90 & 585/88 for avoiding intervention of the middlemen.

6. The expenditure sanctioned in para (4) ante, shall be debitable to the following Head of Account under "4701-COL on Major and Medium Irrigation, 01-Major Irrigation (Commercial), M.H.123-T.G.P. G.H.11-Normal State Plan, S.H.(26) D & A Works, 530 Major Works, 532-Lands (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

7. This order issues with the concurrence of Finance (W&P) Department vide their U.O.No. 3035/F7(A2)2010-1, Dated: 21.6.2010
(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA,
SECRETARY TO GOVERNMENT

To

The Special Chief Secretary & C.C.L.A. A.P. Hyderabad

The Special Collector, SSP, Kurnool

The Special Deputy Collector, L.A. T.G.P, Nandyal

The Engineer-in-Chief, Hyderabad

The Revenue Divisional Officer, Nandyall

The Superintending Engineer, I & CAD, Kurnool

The Director of Works and Accounts, Hyderabad

The District Treasury Officer, Kurnool

The Joint Director, Works & Accounts, Srisailam, Kurnool

The Pay & Accounts Officer, Kurnool

Copy to

P.S. to Minister (M & MI)

Law Department/Finance (W&P) Department

Secretary (RRM) peshi

C.No. 11132/L.A.II/A1/2010

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//FORWARDED BY ORDER//

SECTION OFFICER